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STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

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TO: Participating Schools and Lenders

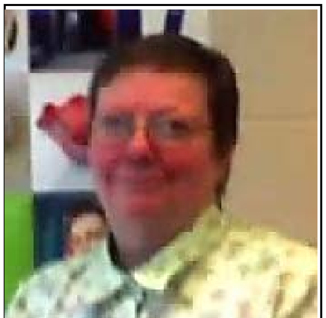
FROM: Diane Todd Sprague, Director

DATE: February 22, 2006

SUBJECT: Educational Loan Notes

FEATURED FINANCIAL AID PROFESSIONAL

A mother lion, although ferocious, assertive, protective, and aggressive, is also loving toward the ones she is protecting.



Sarajane Seaver

Humility is defined as being authentic without pretense or arrogance. This describes the spirit of Sarajane Seaver, Financial Aid Officer, at the College for Creative Studies (CCS). At times she is also the mother lion when it comes to protecting the rights of students who enter her office seeking financial aid to complete their studies. Her colleagues know her to be genuine, compassionate, and committed in her endeavors. Martin Ruiz, Deputy Director of the State Secondary Market, describes Sarajane as, "a tiger when it comes to defending her students." These characteristics along with a highly creative mind combine to form Sarajane's formidable personality.

Sarajane's journey toward financial aid started with her commitment to education. She is a Catholic nun affiliated with the Adrian Dominican Sisters. She worked as a junior high school teacher in Michigan and California. She later went to work as a parish pastoral assistant in Arizona and then to Weber Retreat Center in Adrian, Michigan. After several years at Weber Center, Sarajane decided to take a one-year sabbatical from ministry and return to college.

Sarajane enrolled at CCS and while working as a work-study student in the student services office was "loaned" to the financial aid office. After completing her Bachelor of Fine Arts degree, majoring in weaving and fiber design, she was offered a position in the financial aid office. Little did she suspect that she would still be there today.

Sarajane says she cannot imagine working in any other field. She loves the interaction with people. Working with students allows her the opportunity to not only provide financial aid assistance, but also

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provide motherly direction and advice. Helping someone develop as a person, achieve their career goals, and become a productive citizen is very rewarding.

The most challenging aspect of financial aid is keeping up with the regulatory changes. Sarajane believes that the Michigan Student Financial Aid Association (MSFAA) has been an essential avenue to keep up with regulatory changes and provide the support that you can only get from your fellow colleagues. She stated that the Michigan Guaranty Agency's (MGA) fall and spring workshops also provide valuable information and interaction.

Increasing loan limits is one of the changes Sarajane would implement if given the opportunity. Because freshmen pay the same tuition as seniors, she wonders why there should be a difference in the loan amount. Sarajane has seen an increase in alternative loans for freshmen students. She believes that loan increases should be more realistic, based on the increase in education costs.

Sarajane believes that an effective financial aid office must be available, flexible, and informative. She feels that freshmen and parents are not aware of everything that is needed to go to college, therefore, early awareness is vital.

Sarajane is very proud of the Exit Counseling Fair CCS provides to graduating seniors. They work with lender representatives and schedule personal time with students to provide one-on-one counseling on loan repayment options. Lenders and students look forward to the exit fair because of the valuable information they obtain. Sarajane attributes the exit fair to the decrease in their cohort default rate.

CCS is a college of design and fine arts. They have students that come from 38 states and six countries. The college offers a yearly exhibit of their students' work. Artwork that is done throughout the year is displayed during the exhibit the last two weeks of May. CCS was again this year the only art and design college to be invited to exhibit at the North American International Auto Show (NAIAS). This year's NAIAS helped CCS kick off its centennial year, celebrating 100 years since the founding of the Society of Arts and Crafts in the city of Detroit.

Sarajane enjoys working in financial aid and would advise newcomers to be open, listen to students, and use wisdom to discern truth from fiction.

When not working she taps into her artistic side. Sarajane weaves, quilts, and creates baskets as often as possible.

THE DEFICIT REDUCTION ACT OF 2005

Now that the President has signed the Deficit Reduction Act (S.1932) into law, questions have arisen regarding when negotiated rulemaking will begin and when the U.S. Department of Education (ED) will issue regulations. The Act has a general effective date of July 1, 2006, though some specific provisions have different effective dates. As stated in the Higher Education Act, for regulations for the student financial assistance programs to be effective for any award year, they must be published in final form prior to November 1 of the preceding year. Thus, it is impossible for ED to have final regulations on the Deficit Reduction Act's provisions in place by July 1 of this year. Following prior practice, it is anticipated ED will issue clarifying guidance, probably in the form of a Dear Colleague Letter(s).

The Higher Education Act also requires ED to submit draft regulations to a negotiated rulemaking process before publishing proposed regulations for the student financial assistance programs. The negotiated rulemaking process and the formal rulemaking process would need to be completed by November 1, 2006, for the regulations to be effective for the 2007-2008 academic year.

Here is a look at the major modifications to the federal aid programs, however, please keep in mind the effects of the provisions will be continually refined as additional information becomes available:

Student Loans

As a result of the newly passed bill Stafford and PLUS loan interest rates switch from variable to fixed. Beginning July 1, 2006, Stafford loans will carry a fixed interest rate of 6.8 percent, while PLUS loans in FFELP will

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be fixed at 8.5 percent. The interest rate for PLUS loans in the Federal Direct Loan Program (FDLP) will be 7.9 percent. According to the Congressional Budget Office, “Information from committee staff indicates that the intent had been to apply this higher rate to parent loans under FDLP as well, but the legislation did not include the necessary conforming language.” The interest rate for loans made under the Federal Consolidation Loan Program is unchanged (i.e., a fixed rate that is the weighted average of the loans being consolidated, rounded up to the nearest 1/8 of a percent).

Additionally, graduate students will now be eligible to obtain a PLUS loan, without a parent. Graduate and professional students will be allowed to borrow through the Federal PLUS Loan Program up to the cost of attendance minus estimated financial assistance. This change will provide graduate and professional students with an alternative to private educational loans. Graduate and professional students will be subject to credit-worthiness standards and repayment requirements, just as parent borrowers are. Graduate and professional students will be able to obtain in-school deferments while attending at least half-time.

Loan Fees

Changes in the origination fee may affect cost of attendance calculations. The origination fee for Stafford loans under FFELP first disbursed on or after July 1, 2006, will be reduced from three percent to two percent. Every July 1, the origination fee will be reduced an additional 0.5 percent until it is completely phased out effective July 1, 2010. Effective for Stafford and PLUS loans under FFELP which are guaranteed on or after July 1, 2006, the law specifies a one percent federal default fee which may be deducted from the borrower’s loan amount. For Stafford loans under FDLP, the origination fee will also be reduced annually beginning July 1, 2006, until it reaches one percent as of July 1, 2010. These changes will make the loan fees consistent for borrowers under both FFELP and FDLP.

Multiple and 30-day Delayed Disbursements

Effective immediately upon enactment of the bill, schools with a cohort draft rate below ten percent for the past three consecutive years will qualify for relief when it comes to the disbursement rules. These qualified schools will be able to disburse loans in one disbursement if the loan is only for a single semester, and they will not have to wait until the 30th day of the loan period to deliver a loan to a first-year, first-time undergraduate borrower.

Deferment, Forbearance, and Discharge

Student loan borrowers who are in repayment will also start seeing some changes to their repayment options. A new military deferment will be available for eligible borrowers on active duty during a war, national emergency, or military operation (including National Guard duty under the same circumstances) for a maximum of three years for loans first disbursed on or after July 1, 2001. As of July 1, 2006, a borrower may now request a period of mandatory forbearance verbally, but the lender must provide the borrower with written confirmation of terms of the forbearance. Loans that are falsely certified through identity theft may be discharged beginning July 1, 2006.

Loan Rehabilitation

Borrowers who have defaulted on their student loans will now be able to rehabilitate their loans in a shorter timeframe, as the number of required consecutive on-time payments has been reduced to nine payments within a ten-month period. The grace period is changing from 15 days to 20 days.

Administrative Wage Garnishment

Defaulted borrowers who are repaying their debt in the form of wage garnishment could see an increase in the amount garnished, from ten percent to 15 percent of their disposable pay.

Loan Limits

Jumping ahead to the 2007-2008 academic year, undergraduate and graduate loan limits will increase beginning on July 1, 2007.

(Continued on the next page.)

- The base Stafford loan annual limit increases from $2,625 to $3,500 for first-year undergraduate students.
- The base Stafford loan annual limit increases from $3,500 to $4,500 for second-year undergraduate students.
- Unsubsidized Stafford loan annual limit increases from $5,000 to $7,000 for undergraduate students enrolled in coursework necessary to enroll in a graduate program or to obtain a professional credential as an elementary or secondary school teacher.
- Unsubsidized Stafford loan annual limit increases from $10,000 to $12,000 for graduate/professional students.

However, the aggregate loan levels for undergraduate and graduate students will not be increasing, so the loan limit increase should not have too big of an impact on overall Stafford loan debt.

Beginning July 1, 2006, spousal consolidation will no longer be allowed and in-school consolidation will be repealed. In addition, a Consolidation loan borrower will be allowed to apply for a subsequent Consolidation loan only for the purpose of obtaining an income-contingent repayment plan and only if the original Consolidation loan has been submitted to a guarantor for default aversion assistance.

Drug Offenses and Borrower Eligibility

Ineligibility resulting from drug conviction is limited to offenses that occurred while the student was receiving Title IV assistance.

Return of Title IV Funds (R2T4)

Two new provisions will impact schools' R2T4 policies beginning July 1, 2006. Schools will have up to 45 days (currently 30 days) to return Title IV funds after the date of determination of a student's withdrawal. Also, a student will be required to return only the grant overpayment amount that exceeds 50 percent of the total grant assistance the student received for the period. In addition, a student will not be required to return a grant overpayment amount of $50 or less.

School as Lender

Starting on April 1, 2006, a moratorium will keep new schools (those that have not previously disbursed a loan under the program) from lending money.

Federal Methodology

Changes in the federal methodology beginning July 1, 2007, will result in:

- Increases in income protection allowances for dependent and independent students.
- A decrease in the dependent student contribution from assets.

Grants

Beginning on July 1, 2006, Pell Grant-eligible students will become eligible for additional monies in the form of Academic Competitiveness and SMART grants. The new grants will be in addition to their Pell Grants if the student is studying physical, life, and computer sciences or mathematics, technology, engineering, or certain foreign languages. These new grants will provide eligible students with between $750 and $4,000 in additional funds.

The Academic Competitiveness Grant provides $750 and $1,300 to first- and second-year students, respectively; recipients must have completed a "rigorous" (as determined by the Secretary of Education) high school program, and second-year students must also have earned at least a 3.0 GPA in their college coursework. The SMART (Science and Mathematics Access to Retain Talent) Grant provides $4,000 to third- and fourth-year students majoring in science, math, technology, engineering, or a foreign language deemed critical to national security; students must have earned at least a 3.0 GPA in coursework required for their major.

Editor's Note: A word of caution. The above is not a complete list of modifications. Many items are passed in legislation that are never implemented. Some provisions of legislation are delayed until the administrative issues can be worked out. Be patient and wait to see what ED does before you do anything. This is so new that it would be premature to read too much into the legislation.

SCHOOLS RECEIVE APPROVAL TO USE REAL-TIME DATA

The following is a Meteor press release from the National Council of Higher Education Loan Programs (NCHELP).

It was recently announced at the U.S. Department of Education's Electronic Access Conferences that effective immediately, in addition to paper documentation, institutions can rely upon information it accesses directly from a loan holder's database as documentation that a loan reported by or on the National Student Loan Data System (NSLDS) as being in default is no longer in default or otherwise no longer impacts a borrower's eligibility (e.g., satisfactory arrangements have been made). Access to loan data directly from a loan holder's database includes the use of Web-based products that display a loan holder's real-time data. Web-based products must obtain data directly from a guarantor, lender, or servicer's system and be displayed without any modification. Institutions must be able to verify that the loan being reviewed is the problematic loan. The institution must print and retain an image of the information it obtained from the Web that clearly identifies the borrower, the status of the debt, and the source of the data. It is anticipated that ED will be issuing written guidance providing additional information on this issue.

Thanks to the collaborative efforts of the NCHELP Electronic Standards Committee School Advisory Group (co-chaired by Linda Katrinic of Baker College and Carrie Steere-Salazar of the University of California, San Francisco) and Federal Student Aid (FSA) for their work on this effort. Members of the School Advisory Group are especially pleased by this announcement as it will provide them with the ability to more efficiently counsel and provide aid to their students.

Linda Katrinic states that "having the authorization to use data in the Meteor Network to resolve conflicting information is a vital benefit to schools. It is particularly helpful when there are recent changes to the status or dollar amounts of loans that are not yet reflected on NSLDS. This also greatly improves the customer service we provide to students by eliminating the delays of contacting every lender/servicer individually for the necessary documentation. Meteor truly is a one-stop-shop!"

Introduced in August of 2002, Meteor is a collaborative effort of leading FFELP business partners, and MGA was one of Meteor's founding sponsors. The project's goal is to provide open, non-proprietary access to student aid information in real time, using industry standards. Providers in the Meteor Network represent more than 81 percent of FFELP loan guarantee data, more than 60 percent of FFELP loan servicing data, and more than 64 percent of alternative loan data. For a complete list of Meteor partners and participants visit the Meteor Web site at www.nchelp.org/Meteor/htm. The Meteor project welcomes participation from organizations serving the higher education community. Interested organizations should contact Tim Cameron, Meteor Project Manager, at meteor@nchelp.org.

Note: Schools are encouraged to verify that the servicer of their students' loans is a Meteor data provider. If the servicer does not participate in Meteor, loan data is reported by the guarantor, which will not include the detail available from a loan servicer.

SCHOOL USERS MAY VIEW METEOR DATA VIA MAPPING YOUR FUTURE

School users logging into Mapping Your Future's (MYF) Online Student Loan Counseling (OSLC) FAO Access Area can view borrower data in Meteor. MYF is a Meteor access provider, authenticating school users so they can access Meteor data without establishing a separate login.

To view borrower data via Meteor, login to your secure FAO Access Area. You will see the Meteor logo under the link within a box labeled Meteor Access. Follow the link, which will open Meteor in a separate browser window. Your MYF session will stay active until you logout or close the browser window, or until it self expires after 30 minutes.

NOTE

The National Student Clearinghouse also plans to become a Meteor access provider. School financial aid office access is tentatively scheduled for May or June 2006.

MGA's BASIC TRAINING WORKSHOP

A Basic Training Workshop for new school financial aid personnel is scheduled for April 5, 2006, at Schoolcraft College, VisTaTech Center, 18600 Haggerty Road, Livonia. This workshop will be held from 9:00 a.m. to 3:30 p.m., with morning refreshments available at 8:30 a.m. The Basic Training Workshop is designed as an introduction to FFELP and to the Michigan Guaranty Agency for school staff who have been working in the area of financial aid for one year or less. However, other personnel who would like an MGA update are also welcome to attend. Topics included will be:

- FFELP Overview, the Role of a Guarantor, and the Student Financial Assistance Bureau
- Loan Application Processing
- Services for Schools
- Training and Development
- Default Aversion
- Customer Services
- Claims and Collections Process
- Preparing for Program Reviews
- Information Security

This is an excellent opportunity for financial aid personnel to ask questions and receive valuable insight into what MGA has to offer. Workshop details were sent electronically to our school clients earlier this month with a complete agenda and registration form. If you have any questions, please call Nancy Vaughn at 1-800-642-5626, extension 31871 or via email vaughnn@michgan.gov.

THE "ED" PIPELINE

Following is a description and link to some of the most recent ED correspondence for schools and lenders.

Dear Partner
January 2006
ANN-06-01

This letter announces a series of one-day workshops on *Fiscal Officer Training (FOT) for 2006*. It also provides a link to the Federal Student Aid's registration system where all workshops and locations are listed.

Dear Partner
January 2006
CB-06-01

This letter announces the posting of schools' tentative 2006-2007 funding levels for the campus-based programs.

Dear Partner
February 2006
CB-06-02

This letter provides information regarding the "Institutional Application and Agreement for Participation in the Work-Colleges Program" for the 2006-2007 Award Year, including the new submission process.

LENDER LIST UPDATES

School personnel continuing to use their paper copy of MGA's "Participating Lender List" should record the following actions on the list dated April 28, 2005. Please make the appropriate changes in all sections of the list as needed.

To access the most current lender information and eliminate the need for manual updates, use the electronic version of MGA's "Participating Lender List" available at michigan.gov/studentaid. Select "Financial Aid Professionals," and then "FAA Resources." If you have any questions regarding MGA's "Participating Lender List," please contact Pat Fromm at extension 36076 or via email at frommp@michigan.gov.

Newly Participating Lender

JPMorgan Chase Bank, N.A., 818590, c/o EdFinancial Services, 298 North Seven Oaks Drive, Knoxville, TN 37922. Telephone: 800-337-6884.

Student Capital Corporation, 834192, c/o ACS, 2277 East 220th Street, CA-FM-540-02R, Long Beach, CA 90810-1639. Telephone: 800-835-4611.

No Longer Participating

PNC Bank, 809921, is no longer participating in FFELP with the Michigan Guaranty Agency.

SCHOOL LIST UPDATES

The following changes should be recorded by lenders on MGA's "Active Michigan School List" dated January 3, 2006. If you have any questions regarding these changes, please contact Stacy Cardwell at extension 36074 or via email at cardwells@michigan.gov.

New Title IV Eligibility

Ecumenical Theological Seminary, Detroit, 040024-00
Located at 2930 Woodward Avenue, Detroit, MI 48201. The contact person is Linda Barr, Financial Aid Student Accounts Director. Linda's telephone number is 313-831-5200, and her fax number is 313-821-1353. Her email address is Lbarr@etseminary.edu.

Contact Information Update

National Institute of Technology, Southfield, 009828-00
Sue Howell's title is now Senior Finance Director.

Rochester College, Rochester Hills, 002288-00
The new contact person is Lori Nelson, Assistant Financial Aid Director. Lori's telephone number is 1-800-521-6010 and fax number is 248-218-2035. Her email address is Lnelson@rc.edu.

Telephone Number Change

Davenport University, Dearborn, 002249-40
Zena Skinner's telephone number is 313-581-4400, extension 408.

Address Change

Mr. David's School of Cosmetology, Flint, 030251-00
Now located at 4000 South Saginaw Street, Suite 145, Flint, MI 48507. The new telephone number is 810-762-7474, and the fax number is 810-762-7454.

U.P. Academy of Hair Design, Escanaba, 034903-00
Now located at 1625 Sheridan Road, Escanaba, MI 49829. The telephone number and fax number remain the same.

"Q" AND "A"

NSLDS Discrepancies: Why Two Plus Two Doesn't Always Equal Four

First, what effect will the newly signed Deficit Reduction Act have on annual and aggregate loan limits?

The Deficit Reduction Act increases the base annual amounts a student can borrow under the Federal Stafford Loan Program as follows:

1st Year Students: $3,500
2nd Year Students: $4,500
3rd Year Students: Unchanged ($5,500)
4th Year Students: Unchanged ($5,500)
5th Year Students: Unchanged ($5,500)

Graduate Students: $12,000 in unsubsidized funds (previously at $10,000)

The Deficit Reduction Act does not amend the aggregate loan limits that are set at $23,000 for undergraduate students and $65,500 for graduate and professional students. Additional guidance from ED is expected to be forthcoming.

(Continued on the next page.)

Why is it that the aggregate loan amounts listed on NSLDS do not always equal all of the underlying Stafford and SLS loans listed?

There are several reasons that an aggregate loan amount on NSLDS does not equal all of the outstanding principal balances of the underlying loans. Some of the most common reasons include:

1. Timing issues between data providers and NSLDS. Because NSLDS is not updated in real time, there are instances when a student's aggregate loan limit has not been updated because of the time it takes lenders to report additional loans to NSLDS.

2. A Consolidation loan that may be throwing off the total outstanding principal balance. Prior to 2003-2004, Consolidation loans were not always reported with outstanding principal subsidized and unsubsidized balances. Therefore, NSLDS used a special algorithm to try to determine the total subsidized and unsubsidized aggregate loan amounts. Because this algorithm used some assumptions, some amounts may have been reported inaccurately. In other cases, amounts that could not be accounted for were placed into a category labeled "Unallocated."

3. Coding issues. Data providers have inadvertently reported some loans incorrectly to NSLDS. For example, in the past lenders have been reporting some loans as PF (Paid-in-Full) or DP (Defaulted Paid-in-Full) as opposed to PN (Paid-in-Full through Consolidation) or DN (Defaulted Paid-in-Full through Consolidation). As of August 25, 2003, NSLDS has modified its processing procedures to correct those coding errors.

On NSLDS there is a special column entitled, "Consolidation Loans, Unallocated." What is that field, and is a school responsible for determining the source of those funds?

The "Consolidation Loans, Unallocated" fields refer to portions of FFELP Consolidation (CL), Direct Consolidation Subsidized (D6), and Direct Consolidation Unsubsidized (D5) loans that cannot be attributed to underlying subsidized or unsubsidized loans. In short, the amounts listed in that field are amounts that NSLDS does not know what to do with.

Effective January 2006, any amounts reported in the "Consolidation Loans, Unallocated" row do **not** need to be taken into consideration by financial aid administrators in determining aggregate loan limits. To reinforce this idea, NSLDS has reorganized the "Aggregate Loan Information Summary Table" by moving "Consolidation Loans, Unallocated" after "Combined Loan" total (see Figure 1).

Loan History

Aggregate Loan Information

Loan Type	Outstanding Principal Balance	Pending Disbursements	Total
Subsidized Loans	$13,074	$0	$13,074
Unsubsidized Loans	$11,587	$0	$11,587
Combined Loans	$24,661	$0	$24,661
Consolidation Loans, Unallocated	$15,616		$15,616
Perkins Loans	$3,000		$3,000

Figure 1: New order of Aggregate Loan Information summary table.

What if I suspect that the aggregate loan limits on NSLDS are incorrect?

There may be times that you suspect that the total outstanding principal balance on NSLDS is being reported incorrectly. For example, if your institution keeps track of a student's aggregate total loan amount in-house, you may quickly realize that NSLDS sometimes reports that a student's aggregate loan amount is more than the actual amount disbursed. In many instances, as described above, these errors result from Consolidation loan misreporting.

(Continued on the next page.)

While it would be prudent to collect any Consolidation loan paperwork that the borrower can provide, it might be best to compare the total outstanding principal balance amount with all of the underlying loan disbursement amounts to distinguish between principal and interest balances. If the school determines that NSLDS figures are in fact incorrect, it would be very important to **keep all documentation showing how the school reached that conclusion**.

Are there any other tools that I can use to try to verify a student's correct aggregate loan amounts?

It was recently announced at ED's Electronic Access Conferences that effective immediately, in addition to paper documentation, institutions can rely upon information it accesses directly from a loan holder's database as documentation that a loan reported by or on NSLDS as being in default is no longer in default or otherwise no longer impacts a borrower's eligibility (e.g., satisfactory arrangements have been made).

Access to loan data directly from a loan holder's database includes the use of Web-based products (e.g., Meteor) that display a loan holder's real-time data. Web-based products must obtain data directly from a guarantor, lender, or servicer's system and be displayed without any modification. Institutions must be able to verify that the loan being reviewed is the problematic loan. The institution must print and retain an image of the information it obtained from the Web that clearly identifies the borrower, the status of the debt, and the source of the data. It is anticipated that ED will be issuing written guidance providing additional information on this issue.

What are the school's responsibilities and possible liabilities if a student received loan funds in error because of misinformation on NSLDS?

A school will only be responsible for the financial aid history information it had at the time it disbursed aid to the student. However, once a school has been made aware through any means that a student is not or was not eligible for Title IV disbursements, the school:

1. Must not deliver any additional funds, and

2. Must assist the lender in requiring the student to make satisfactory repayment arrangements for the ineligible funds.

Where can I get up-to-date information on NSLDS policy or regulatory updates?

The *NSLDS Newsletter* at www.ifap.ed.gov keeps users apprised of any policy and/or regulatory updates in regards to NSLDS. Schools, lenders, or borrowers with specific questions may also contact the Michigan Guaranty Agency at extension 77009 for more information.

Have a question you would like to ask? Contact Justin Draeger at extension 31940 or via email at draegerj@michigan.gov to submit your question or to suggest a topic you would like to see addressed in a subsequent issue of *Educational Loan Notes*.

Calendar of Upcoming Events

March

21 Mapping Your Future Evening Chat
Applying to and paying for college (including student loans).
7:00 – 8:00 p.m.

April

5 MGA Basic Workshop
Schoolcraft College
VisTaTech Center
Livonia, Michigan

If you need further information or wish to submit items for the calendar, please contact Jim Peterson, Editor, at extension 36944 or via email at petersonj@michigan.gov.